

TEXAS APPRAISER LICENSING  
AND CERTIFICATION BOARD

vs.

MORGAN LINDSAY  
TX-1330036-T & TX-1335901-L

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DOCKETED COMPLAINT NO.  
06-006, 06-099, 06-107, 07-190,  
08-042, & 08-191

AGREED FINAL ORDER

On this the 20 day of Aug, 2010, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Morgan Lindsay. (Respondent).

In order to conclude this matter Morgan Lindsay neither admits nor denies the truth of the Findings of Fact and Conclusions of Law contained herein and further agrees to the disciplinary action set out in this Agreed Final Order. The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

**FINDINGS OF FACT**

1. Respondent, Morgan Lindsay, was a state licensed real estate appraiser who held license or authorization numbers TX-1335901-L and/or TX-1330036-T during all times material to the above-noted complaint cases.
2. Respondent appraised 12234 Bellafonte Drive, Dallas, TX 75243 on or about July 18<sup>th</sup>, 2005.
3. Respondent appraised 12234 Bellafonte Drive, Dallas, TX 75243 on or about November 14<sup>th</sup>, 2002.
4. Respondent appraised 9524 Military Parkway, Units 7004; 6002; 10001; 10003; & 12003, Dallas, TX on or about May 12<sup>th</sup>, 2005.
5. Respondent appraised 8002 Meadowlark Lane, Rowlett, TX 75088 on or about July 15<sup>th</sup>, 2005.
6. Respondent appraised 7009 Tilbury Court, McKinney, TX 75071 on or about April 26<sup>th</sup>, 2005.
7. Respondent appraised 4530 Limerick Lane, Frisco, TX 75034 on or about April 26<sup>th</sup>, 2005.
8. Respondent appraised 7008 Brayford Way, McKinney, TX 75071 on or about April 26<sup>th</sup>, 2005.

9. Respondent appraised 101 Southview Village, Fate, TX 75189 on or about December 10<sup>th</sup>, 2006.
10. Respondent appraised 11548 Coral Hills Drive, Dallas, TX 75229 on or about March 23<sup>rd</sup>, 2005.
11. Respondent did not become licensed as a Real Estate Appraiser until March 1, 2006. With the exception of the appraisal for 101 Southview Village, Fate, TX 75189, which was performed after Respondent obtained her state license, at all times pertinent to the appraisals referenced in Findings of Fact Numbers 1-10, Respondent was a Trainee working under the supervision of Mr. Bryant Kitchens. Because Respondent was a Trainee, she was not required to maintain independent records of the appraisals she worked on. Respondent has no independent recollection of performing the appraisals referenced in Findings of Fact Numbers 1-10.
12. Thereafter complaints relating to each of these real estate appraisal reports were filed with the Board. The complaints alleged that Respondent failed to comply with the Uniform Standards of Professional Appraisal Practice in his completion of these reports.
13. After receipt of each complaint, the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. CHPT. 2001, and TEX. OCC. CODE CHPT. 1103, notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations in the complaints. Respondent's responses were received.
14. Since the time of these complaints, Respondent's state license as a real estate appraiser has expired and Respondent no longer desires to hold a license, certification, authorization, or registration from the Board. Respondent acknowledges that her state license has lapsed and she is hereby agreeing not to seek renewal of the license, nor to apply for any authorization, license, certification or registration with the Board in the future. By signing this consent order, Respondent does not admit the foregoing Findings of Fact or Conclusions of Law, but agrees to resolve this matter to avoid the expense and uncertainty of further proceedings.
15. The parties hereby enter into the foregoing consent order in accordance with TEX. OCC. CODE § 1103.458.

## CONCLUSIONS OF LAW

1. The Texas Appraiser Licensing and Certification Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq.
2. The parties are authorized to resolve their dispute by means of a consent order in accordance with TEX. OCC. CODE § 1103.458.
3. This consent order is a settlement agreement under Section 408 of the Texas Rules of Evidence for purposes of civil or criminal litigation.


Based on the above findings of fact and conclusions of law, the Board **ORDERS** that Respondent:

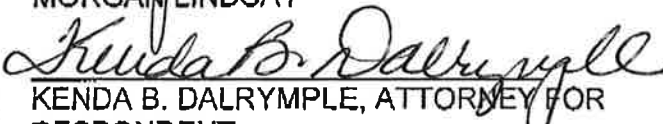
1. Shall not seek renewal of her license, nor apply to the Board for any authorization, license, certification or registration in the future.

Respondent, by signing this Agreed Final Order, waives the Respondent's right to a formal hearing and any right to seek judicial review of this Agreed Final Order. Information about this Agreed Final Order is subject to public information requests and notice of this Agreed Final Order will be published on the Board's web site.

THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 24<sup>th</sup> day of June, 2010.

  
MORGAN LINDSAY

  
KENDA B. DALRYMPLE, ATTORNEY FOR  
RESPONDENT

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 24<sup>th</sup> day of June, 2010, by MORGAN LINDSAY, to certify which, witness my hand and official seal.

  
Notary Public Signature

Suzanne Marie Owen  
Notary Public's Printed Name



Signed by the Standards and Enforcement Services Division this 19<sup>th</sup> day of

AUGUST, 2010.

Troy Beaulieu  
Troy Beaulieu, TALCB Staff Attorney

Signed by the Commissioner this 20 day of Aug, 2010.

Douglas E. Oldmixon  
Douglas E. Oldmixon, Commissioner

Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 20 day of Aug, 2010.

James B. Ratliff  
James B. Ratliff, Chairperson  
Texas Appraiser Licensing and Certification Board